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INTELLECTUAL PROPERTY LAW

TELEPHONE (408) 720-8300

FACSIMILE (408) 720-8383

BSTZ_MAIL@BSTZ.COM
WWW.BSTZ.COM1279 OAKMEAD PARKWAY
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DENVER / ENGLEWOOD, CO**FACSIMILE TRANSMITTAL SHEET****RECEIVED**
CENTRAL FAX CENTERNumber of pages including this sheet: 16**JUN 07 2006**Deliver to: Exmmr. Abelson, Ronald B. - UNITED STATES PATENT & TRADEMARK OFFICEFax No.: 571-273-8300From: Kevin G. Shao, Reg. No. 45,095Date: June 7, 2006Operator: Dianne NeatheryApplication No.: 10/035,538Art Group: 2666Filing Date: October 23, 2001Conf. No: 4685Inventor: Sophie H. EssenEntitled: METHOD AND APPARATUS FOR CHANGING THE DATA RATE OF A DATA SIGNALAttorney Docket No.: 004906.P062

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment/Response FOA (<u>9</u> pgs)	<input type="checkbox"/> Declaration & P of A (<u> </u> pgs)	<input type="checkbox"/> Reply Brief (<u> </u> pgs)
<input type="checkbox"/> Appeal Brief (<u> </u> pgs) (in triplicate)	<input type="checkbox"/> Drawings: # of sheets w/ <u> </u> figs.	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Utility Application (<u> </u> pgs)	<input type="checkbox"/> <u> </u> Month Petition re Ext. of Time	<input type="checkbox"/> Rsp. to Notice of Missing Parts (<u> </u> pgs)
<input type="checkbox"/> 1.53(b) Cont. Application (<u> </u> pgs)	<input type="checkbox"/> IDS & PTO 1449 (<u> </u> pgs)	<input type="checkbox"/> Transmittal Letter (<u> </u> pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) Divisional Application (<u> </u> pgs)	<input type="checkbox"/> Issue Fee Transmittal (<u> </u> pgs)	<input checked="" type="checkbox"/> Fee Transmittal (<u>3</u> pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) CIP Application (<u> </u> pgs)	<input type="checkbox"/> Notice of Appeal (<u> </u> pgs)	<input type="checkbox"/> Deposit Account Authorization
<input type="checkbox"/> 1.53(d) RCA Transmittal (<u> </u> pgs)	<input type="checkbox"/> Petition re <u> </u> (<u> </u> pgs)	<input type="checkbox"/> Other: <u> </u>
<input type="checkbox"/> PCT Application (<u> </u> pgs)	<input type="checkbox"/> Power of Attorney (<u> </u> pgs)	<input type="checkbox"/> Other: <u> </u>
<input type="checkbox"/> Provisional Application (<u> </u> pgs)	<input type="checkbox"/> Declaration by Inventor(s) (<u> </u> pgs)	<input type="checkbox"/> Other: <u> </u>
<input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs)	<input type="checkbox"/> Supplemental Declaration (<u> </u> pgs)	<input type="checkbox"/> Other: <u> </u>
<input checked="" type="checkbox"/> Certificate of Transmission by Fax	<input type="checkbox"/> Preliminary Amendment (<u> </u> pgs)	<input type="checkbox"/> Other: <u> </u>

CERTIFICATE OF TRANSMISSIONI, Dianne Neathery, hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent andTrademark Office on: June 7, 2006by: Dianne Neathery

Dianne Neathery

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FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete If Known:

Application No. 10/035.538
 Filing Date October 23, 2001
 First Named Inventor Sophie H. Essen
 Examiner Name Abelson, Ronald B.
 Art Unit 2666
 Attorney Docket No. 004906.P062

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_____ Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)
 _____ Check _____ Credit Card _____ Money Order X None _____ Other (please identify)

_____ Deposit Account

Deposit Account Number: 02-2666

Deposit Account Name: _____

X The Director Is Authorized to do the following with respect to the above-identified Deposit Account:

_____ Charge fee(s) Indicated below.

X Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

X Charge fee(s) Indicated below except for the filing fee

X Credit any overpayments.

X Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	} 1,000/500	\$ _____
1111	500	2111	250	Utility search fee		\$ _____
1311	200	2311	100	Utility examination fee		\$ _____
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1) \$ 0.00						_____

JUN 07 2006

Page 2 of 3

2. EXCESS CLAIM FEES

		<u>Extra Claims</u>	<u>Fee from</u> <u>below</u>	<u>Fees Paid (\$)</u>
Total Claims	<u>20</u> - 40 HP =	<u>0</u>	X <u>\$50.00</u>	= <u> </u>
HP = highest number of total claims paid for, if greater than 20				
Independent Claims	<u>5</u> - 9 HP =	<u>0</u>	X <u>\$200.00</u>	= <u> </u>
HP = highest number of independent claims paid for, if greater than 3				
Multiple Dependent Claims				= <u> </u>

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l</u> <u>50 or fraction thereof</u>	<u>Fee from</u> <u>below</u>	<u>Fees paid (\$)</u>
<u> </u>	- 100 = <u> </u>	/ 50 = <u> </u> (round up to whole number)	X <u>\$250.00</u>	<u> </u>

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets</u> <u>beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

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Page 3 of 3

FEE CALCULATION (continued)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)				Fees Paid (\$)	
Large Entity		Small Entity			
Code	Fee (\$)	Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Kevin G. Shao

Signature: 

Date: June 7, 2006

Reg. Number: 45,095

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

- 3 -

Based on Form PTO/SB/17 (12-04) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 12/13/04

FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 0.00**Complete if Known:**

Application No. 10/035,538
 Filing Date October 23, 2001
 First Named Inventor Sophie H. Essen
 Examiner Name Abelson, Ronald B.
 Art Unit 2686
 Attorney Docket No. 004906.P062

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify)

Deposit AccountDeposit Account Number : 02-2686

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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SUBTOTAL (1)						\$ 0.00

- 1 -

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2. EXCESS CLAIM FEES

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SUBTOTAL (2) \$ 0.00**3. APPLICATION SIZE FEE**

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Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
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8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
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1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Kevin G. ShaoSignature: Date: June 7, 2006Reg. Number: 45,095Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Sophie H. Essen

Application No. 10/035,538

Filed: 10/23/2001

For: METHOD AND APPARATUS
FOR CHANGING THE DATA RATE
OF A DATA SIGNAL

Examiner: Abelson, Ronald B.

Art Unit: 2666

Confirmation No.: 4685

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being
facsimile transmitted to the U.S. Patent and
Trademark Office on: on June 7, 2006

By:

Dianne Neathery
Dianne Neathery

Mail Stop: AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In response to the Final Office Action mailed March 8, 2006 for the above-identified application, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Atty Docket No.: 4906.P062

1

App. No.: 10/035,538